

Adopted on 3/29/2017

CHR 506

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1267

House Bill No. 1064*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 45, Chapter 2, is amended by adding the following as a new part:

45-2-2201.

This part shall be known and may be cited as the "Elderly and Vulnerable Adult Financial Exploitation Prevention Act."

45-2-2202.

(a) As used in this part, unless the context otherwise requires:

(1) "Account" means funds or assets held by a financial service provider, including, but not limited to, a deposit account, savings account, share account, certificate of deposit, trust account, IRA, guardianship or conservatorship account, investment or securities account, retirement account, or loan or extension of credit;

(2) "Department" means the department of financial institutions unless otherwise designated in this part;

(3) "Elderly adult" means a person sixty-five (65) years of age or older;

(4) "Financial exploitation" means the unlawful appropriation or use of an elderly or vulnerable adult's property, as defined in § 39-11-106(a), for one's own benefit or that of a third party;

(5) "Financial service provider" means any of the following engaged in or transacting business in this state:



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(A) A state or national bank or trust company;
(B) A state or federal savings and loan association;
(C) A state or federal credit union;
(D) An industrial loan and thrift company, regulated by chapter 5
of this title;

(E) A money transmitter, regulated by chapter 7, part 2 of this
title;

(F) A check casher, regulated by chapter 18 of this title;

(G) A mortgage loan lender, mortgage loan broker, mortgage loan
originator, or mortgage loan servicer, regulated by chapter 13 of this title;

(H) A title pledge lender, regulated by chapter 15 of this title;

(I) A deferred presentment services provider, regulated by
chapter 17 of this title;

(J) A flex loan provider, regulated by chapter 12 of this title; or

(K) A home equity conversion mortgage lender, regulated by title
47, chapter 30;

(6) "Financial transaction" means any of the following as applicable to the
business or services provided by a financial service provider:

(A) A transfer or request to transfer or disburse funds or assets in
an account;

(B) A request to initiate a wire transfer, initiate and automated
clearing house (ACH) transfer, or issue a money order, cashier's check,
or official check;

(C) A request to negotiate a check or other negotiable instrument;

(D) A request to change the ownership of an account;

(E) A request to sell or transfer securities or other assets if the person selling or transferring the securities or assets is not required to register pursuant to title 48, chapter 1, part 1;

(F) A request for a loan, extension of credit, or draw on a line of credit; or

(G) A request to transfer the title to any real property, or the title of any motor vehicle or mobile home, or to encumber such real property, motor vehicle, or mobile home;

(7) "Law enforcement agency" means a district attorney general, municipal police department, county sheriff, the Tennessee bureau of investigation, United States attorney, FBI, secret service, or other federal law enforcement agency; and

(8) "Vulnerable adult" means a person eighteen (18) years of age or older who, because of mental or physical dysfunction, is unable to fully manage the person's own resources, carry out all or a portion of the activities of daily living, or is unable to fully protect against neglect, exploitation, or hazardous or abusive situations without assistance from others.

45-2-2203.

(a) If a financial service provider has reasonable cause to suspect that financial exploitation may have occurred, may have been attempted, or is being attempted, the financial service provider may, but is not required to, refuse a financial transaction or delay a financial transaction on an account:

(1) Of the elderly or vulnerable adult;

(2) On which the elderly or vulnerable adult is a beneficiary, including a trust, guardianship, or conservatorship account; or

(3) Of a person suspected of perpetrating financial exploitation.

(b)

(1) A financial service provider may also refuse a financial transaction or delay a financial transaction under this section if the department of human services or a law enforcement agency provides information to the financial service provider demonstrating that it is reasonable to believe that financial exploitation may have occurred, may have been attempted, or is being attempted.

(2) Except as ordered by a court, a financial service provider is not required to refuse a financial transaction or delay a financial transaction when provided with information by the department of human services or a law enforcement agency alleging that financial exploitation may have occurred, may have been attempted, or is being attempted, but may use its discretion to determine whether to refuse a financial transaction or hold a financial transaction based on the information available to the financial service provider.

(c) A financial service provider that refuses a financial transaction or holds a financial transaction based on reasonable cause to suspect that financial exploitation may have occurred, may have been attempted, or is being attempted shall:

(1) Except with regard to an account administered by a bank or trust company in a fiduciary capacity, make a reasonable effort to notify one (1) or more parties authorized to transact business on the account orally or in writing; and

(2) Report the incident, if it involves financial exploitation, to the department of human services adult protective services division, as provided in § 71-6-103.

(d) No notice under this section shall be required to be provided to any party authorized to conduct business on the account if the party is the suspected perpetrator of financial exploitation.

(e) Any refusal by a financial service provider to conduct a financial transaction or hold a financial transaction as authorized by this section based on the financial service provider's reasonable cause to suspect that financial exploitation may have occurred, may have been attempted, or is being attempted expires upon the earlier of:

(1) Ten (10) business days after the date on which the financial service provider first refused or held the financial transaction unless earlier terminated by an order of a court of competent jurisdiction, if the transaction involved the sale of a security or offer to sell a security and the person selling or offering to sell is not required to register pursuant to title 48, chapter 1, part 1;

(2) Five (5) business days after the date on which the financial service provider first refused a financial transaction or held the financial transaction, if the transaction did not involve the sale of a security or offer to sell a security, unless earlier terminated by an order of a court of competent jurisdiction;

(3) The time when the financial service provider reasonably believes that the financial transaction will not result in financial exploitation; or

(4) The time when the customer requesting the transaction has been advised of a potential risk in the transaction and the customer has requested the transaction to continue as long as the customer is not the suspected perpetrator of financial exploitation.

(f) A financial service provider may extend the time permitted in this section to refuse a financial transaction or hold a financial transaction based on a reasonable belief that additional time is needed to investigate the financial transaction or to prevent financial exploitation.

(g) Notwithstanding subsection (e), a court of competent jurisdiction may enter an order extending the time that a financial service provider must refuse a financial transaction or hold a financial transaction based on reasonable cause to suspect that

financial exploitation may have occurred, may have been attempted, or is being attempted.

(h) A financial service provider, or an employee of a financial service provider, is immune from all criminal, civil, and administrative liability:

(1) For refusing or not refusing a financial transaction, or holding or not holding a financial transaction under this section; or

(2) For actions taken in furtherance of the determination made under subdivision (h)(1) if the determination was based upon a reasonable belief.

45-2-2204.

(a) A financial service provider may offer to an elderly or vulnerable adult the opportunity to submit and periodically update a list of persons that the elderly or vulnerable adult authorizes the financial service provider to contact when the financial service provider has reasonable cause to suspect that the adult is a victim or a target of financial exploitation.

(b) Notwithstanding subsection (a), a financial service provider, or an officer or employee of the financial service provider, that has reasonable cause to suspect that an elderly or vulnerable adult is the victim or target of financial exploitation may convey the suspicion to one (1) or more of the following, provided that the person is not the suspected perpetrator:

(1) Persons on the list described in subsection (a), if a list has been provided by the elderly or vulnerable adult;

(2) A co-owner, additional authorized signatory, or beneficiary on the elderly or vulnerable adult's account; or

(3) A person known by the financial service provider to be a family member, including a parent, adult child, or sibling.

(c) When providing information under this section, the financial service provider may limit the information and disclose only that the financial service provider has

reasonable cause to suspect that the elderly or vulnerable adult may be a victim or target of financial exploitation without disclosing any other details or confidential personal information regarding the financial affairs of the elderly or vulnerable adult.

(d) The financial service provider may choose not to contact one (1) or more persons on the list provided pursuant to subsection (a) if the financial service provider suspects that the person or persons are engaged in financial exploitation.

(e) The financial service provider may rely on information provided by the customer in compiling a list of contact persons.

(f) A financial service provider, or an employee of a financial service provider, is immune from all criminal, civil, and administrative liability for contacting a person or electing not to contact a person under this section and for actions taken in furtherance of that determination if the determination was made based on reasonable belief.

(g) Contact with any person, and any information provided under this section, is exempt from the customer consent and customer notice provisions in §§ 45-10-105 and 45-10-106.

45-2-2205.

(a) A financial service provider may refuse to accept an acknowledged power of attorney if the financial service provider has reasonable cause to suspect that the principal is or may be the victim or target of financial exploitation by the agent or person acting for or with the agent.

(b) A financial service provider, or an employee of a financial service provider, is immune from all criminal, civil, and administrative liability for refusing to accept a power of attorney or for accepting a power of attorney under this section and for actions taken in furtherance of that determination if the determination was based upon reasonable belief.

45-2-2206.

It is the intent of the general assembly in adopting this part to allow financial service providers the discretion to take actions to assist in detecting and preventing financial exploitation without liability. The general assembly recognizes that financial service providers are in a unique position by conducting financial transactions on behalf of and at the request of their customers. Financial service providers have duties imposed by contract and duties imposed by both federal and state law to conduct financial transactions requested by their customers faithfully and timely in accordance with the customer's instructions. Further, financial service providers do not have a duty to contravene the valid instructions of their customers, nor to prevent criminal activity directed at their customers, and nothing in this part creates such a duty.

SECTION 2. Tennessee Code Annotated, Section 45-10-103(8), is amended by deleting the semicolon and adding the following language at the end of the subdivision:

, if the subpoena shows on its face that it is in compliance with:

(A) The notice requirements of § 45-10-106;

(B) The delay provisions of § 45-10-117; or

(C) An administrative subpoena issued by the department of human services pursuant to § 45-10-115;

SECTION 3. Tennessee Code Annotated, Title 45, Chapter 10, is amended by adding the following as a new section:

(a) A financial institution shall provide access to or copies of records that are relevant to suspected actual or attempted financial exploitation, as defined in § 45-2-2202, in response to an administrative subpoena that satisfies the requirements of § 45-10-103(8) issued by the department of human services, adult protective services as provided in § 71-6-103(j)(4)(A). The records requested pursuant to this subsection (a) must be limited to historical records as well as records relating to the most recent transaction or transactions that may comprise financial exploitation not to exceed thirty

(30) calendar days prior to the first transaction that was reported, or thirty (30) calendar days after the last transaction that was reported.

(b) The administrative subpoena and records provided under this section are exempt from the customer consent and customer notice requirements of §§ 45-10-105 and 45-10-106.

(c) A financial institution has up to fourteen (14) business days to respond to an administrative subpoena described in subsection (a).

(d) The department of human services must provide notice to the customer whose records are requested pursuant to subsection (a) not later than thirty (30) days after receipt of the records from the financial institution. However, the department may delay the notice to the customer by seeking a judicial delay pursuant to § 45-10-117.

SECTION 4. Tennessee Code Annotated, Section 45-10-109, is amended by deleting the words "internal revenue service" and by inserting the words "financial institution's published fee schedule".

SECTION 5. Tennessee Code Annotated, Section 45-2-704(a)(5), is amended by deleting the second sentence and substituting instead the following:

A bank initiating, joining in, joined into, or defending in any manner, an interpleader action shall be entitled to recover from the funds tendered or offered to be tendered the costs of the action, including reasonable attorneys' fees.

SECTION 6. The Department of Financial Institutions is encouraged, within existing public or private resources, to consult with financial service providers as defined in this act, the Tennessee Commission on Aging and Disability, and the Department of Human Services to consider distributing public education and information to alert the public to the dangers posed to elderly and vulnerable adults by financial exploitation.

SECTION 7. This act shall take effect July 1, 2017, the public welfare requiring it. Section 1 of this act shall be repealed on June 30, 2022.

Adpt. on 3/29/17

House Consumer and Human Resources Subcommittee Am. #2

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 305

House Bill No. 366*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 47-16-105, is amended by deleting subdivisions (7) and (9) and substituting instead:

(7) Attempt to effect mandatory arbitration or otherwise effect waiver of a consumer's right to a trial by jury;

(9) Assign, which includes securitizing, a litigation financing contract, in whole or in part, to a third party; however:

(A) This subdivision (9) does not prevent a litigation financier that retains responsibility for collecting payment, administering, or otherwise enforcing the litigation financing contract from making an assignment that is:

- (i) To a wholly owned subsidiary of the litigation financier;
- (ii) To an affiliate of the litigation financier that is under common control with the litigation financier; or
- (iii) A grant of a security interest that is pursuant to title 47, chapter 9 or is otherwise permitted by law; and

(B) If an assignment is authorized and made pursuant to this subdivision (9), for purposes of this section, "litigation financier" includes a successor-in-interest to a litigation financing contract.

SECTION 2. Tennessee Code Annotated, Section 47-16-109, is amended by deleting subsection (b) and substituting instead the following:



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(b) The lien of a litigation financier on a consumer's legal claim has priority over liens that attach and take effect subsequent to the attachment of the litigation financier's lien to the consumer's legal claim, except for the following:

(1) Attorney liens, insurance carrier liens, medical provider liens, or liens based upon subrogation interests or rights of reimbursement related to the consumer's legal claim; and

(2) Child support, Medicare, tax, or any other statutory or governmental lien.

SECTION 3. This act shall take effect July 1, 2017, the public welfare requiring it.

House Consumer and Human Resources Subcommittee Am. #1

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1214

House Bill No. 325*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 50, Chapter 6; Section 29-20-401; and Section 9-8-307, are amended by deleting the language "second injury fund" wherever it appears and substituting instead the language "subsequent injury and vocational recovery fund".

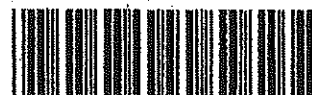
SECTION 2. Tennessee Code Annotated, Section 50-6-102(12)(B), is amended by deleting the subdivision and substituting instead the following:

(B) "Employee" includes a sole proprietor, a partner, or a member of a limited liability company who devotes full time to the proprietorship, partnership, or limited liability company, respectively, and who elects to be included in the definition of "employee" by filing written notice of the election on a form prescribed by the bureau with the insurer or, if there is no insurer, with the partnership, proprietorship, or limited liability company at least thirty (30) days before the occurrence of any injury or death. Such a proprietor, partner, or member may at any time withdraw the election by giving notice of the withdrawal to the insurer or, if there is no insurer, with the partnership, proprietorship, or limited liability company. Such a partner, proprietor, or limited liability company may at any time revoke the election for the term of the policy by giving notice in the same manner. Notification given pursuant to this subdivision (12)(B) does not become effective until it is filed with the proper entity;

SECTION 3. Tennessee Code Annotated, Section 50-6-104, is amended by deleting the section and substituting instead the following:



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(a) Any officer of a corporation may elect to be exempt from the operation of this chapter.

(b) An officer who elects exemption from this chapter shall give written notice to the corporation of the officer's intent not to be covered by this chapter on a form prescribed by the bureau. Notice of the officer's election not to be bound by this chapter must include an affidavit of the officer that the action of the officer in rejecting this chapter was not advised, counseled, nor encouraged by the employer or by anyone acting on the employer's behalf. The election by any employee, who is a corporate officer of the employer, to be exempt from this chapter, does not reduce the number of employees of the employer for the purposes of determining the requirements of coverage of the employer under this chapter.

(c) Every employee who is a corporate officer and who elects not to operate under this chapter, in any action to recover damages for personal injury or death by accident brought against an employer who has elected to operate under this chapter, shall proceed as at common law, and the employer may make use of all common law defenses.

(d) Notification given pursuant to this section does not become effective until it is filed with the proper entity. Any officer who elects exemption and who, after electing exemption then revokes that exemption, shall give written notice of the revocation to the employer and its insurer at least thirty (30) days before the occurrence of any injury or death.

(e) This section does not apply to any officer of a corporation, member of a limited liability company, partner, or sole proprietor who is engaged in the construction industry, as defined by § 50-6-901; instead, part 9 of this chapter applies to such officer, member, partner, or sole proprietor.

SECTION 4. Tennessee Code Annotated, Section 50-6-106(5), is amended by deleting the subdivision and substituting instead the following:

(5) Cases where fewer than five (5) persons are regularly employed, except as provided in § 50-6-902. In cases with fewer than five (5) regularly employed persons, the employer may accept this chapter by purchasing a workers' compensation insurance policy, and may at any time withdraw that acceptance by canceling or not renewing the policy and providing notice to the employees;

SECTION 5. Tennessee Code Annotated, Section 50-6-208, is amended by adding the following as a new subsection:

(I)

(1) If, at the time compensation provided by § 50-6-207(3)(A) ends, the employee has not returned to work with any employer because of a work injury or has returned to work and is receiving wages or a salary that is less than one hundred percent (100%) of the wages or salary the employee received from the employee's pre-injury employer on the date of injury, the injured employee may request vocational recovery assistance from the subsequent injury and vocational recovery fund. To be eligible for assistance, the injured employee must:

(A) Have received all compensation permitted under § 50-6-207(3); and

(B) Submit to the bureau on a form approved by the administrator a request for vocational recovery assistance within ninety (90) days of the date of final payment for all periods of compensation to which an injured worker is entitled under § 50-6-207(3).

(2) Vocational recovery assistance may include, but is not limited to, vocational assessment, employment training, job analysis, vocational testing, general education development (GED) classes and testing, and education through a public Tennessee community college, university, or college of applied technology, including books and materials required for courses. All assistance is subject to the maximum limitation set out in subdivision (j)(5).

(3) The administrator may evaluate a request for vocational recovery assistance based upon the facts and circumstances relevant to the request and make a determination whether to grant any such request.

(4) The administrator may distribute as vocational recovery assistance any revenues in the subsequent injury and vocational recovery fund that are in excess of:

(A) The estimated required reserves for known claims and incurred but not reported subsequent injury claims, as determined in the most recent actuarial analysis;

(B) The liability to be incurred from the date of the most recent actuarial analysis to the end of the fiscal year in which assistance is provided; and

(C) The costs associated with legal counsel to defend the fund and administrative costs of the recovery assistance program.

(5) The total amount paid on behalf of any eligible employee for vocational recovery assistance from the subsequent injury and vocational recovery fund pursuant to this subsection (j) must not exceed five thousand dollars (\$5,000) in any one (1) fiscal year, and must not exceed the total sum of twenty thousand dollars (\$20,000) per employee who participates in this program for all years. The total aggregate amount to be paid from the subsequent injury and vocational recovery fund as to all eligible employees is limited to a total of five hundred thousand dollars (\$500,000) in any calendar year.

(6) The administrator may promulgate rules in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, for the purpose of discharging the administrator's duties to carry out the purposes, goals, and intent of this subsection (j). Such rules may include determining future eligibility of assistance based upon satisfactory completion of coursework in courses taken.

(7) This subsection (j) applies to injuries that occur on or after July 1, 2018, but does not apply to injuries that occur after June 30, 2021.

SECTION 6. Tennessee Code Annotated, Section 50-6-208(e), is amended by deleting the subsection and substituting instead the following:

(e) The sums collected by the administrator as provided in this section must be deposited by the administrator in a special fund, which must be termed the "subsequent injury and vocational recovery fund", to be disbursed by the administrator only for the

purposes stated in this section, for costs associated with legal counsel to defend the administrator in actions claiming compensation from the subsequent injury and vocational recovery fund pursuant to this section, and for costs associated with providing vocational recovery assistance to eligible employees pursuant to subsection (j). Monies remaining in the fund must not, at any time, be appropriated or diverted to any other purpose. The administrator shall not invest any monies in the subsequent injury and vocational recovery fund in any other manner than is provided by the general laws of the state for investments of funds in the hands of the state treasurer. Disbursements from the fund for permanent total physical disabilities must be made by the administrator only after receipt by the administrator of a certified copy of the court decree awarding compensation as provided in this section. Disbursements must be made only in accordance with the decree. A copy of the decree awarding compensation from the fund must in all cases be filed with the bureau. The administrator has the authority in accordance with subsection (j) to make disbursements for vocational recovery assistance from the fund without any court decree.

SECTION 7. Tennessee Code Annotated, Section 50-6-217(a), is amended by deleting the subsection and substituting instead the following:

(1) The administrator shall establish a workers' compensation appeals board, which must be wholly separate from the court of workers' compensation claims, to review interlocutory and final orders entered by workers' compensation judges upon application of any party to a workers' compensation claim.

(2) Any party aggrieved by an order issued by a workers' compensation judge may appeal the order to the workers' compensation appeals board by filing a timely notice of appeal on a form prescribed by the administrator. Review must be accomplished in the following manner:

(A) Within seven (7) business days after the filing of an interlocutory order, either party may appeal the interlocutory order by filing a notice of appeal with the clerk of the court of workers' compensation claims. Following the expiration of the time established

by bureau rules for the parties to file a transcript prepared by a licensed court reporter or a statement of the evidence, along with briefs or position statements specifying the issues presented for review and supporting arguments, the record on appeal must be submitted by the clerk of the court of workers' compensation claims to the clerk of the workers' compensation appeals board. Within twenty (20) business days of the receipt of the record on appeal or oral argument conducted pursuant to bureau rules, whichever is later, the workers' compensation appeals board shall issue a decision affirming, reversing, or modifying the interlocutory order and remanding the case. The decision of the workers' compensation appeals board is not subject to further review; and

(B) Within thirty (30) calendar days after the issuance of a compensation order pursuant to § 50-6-239(c)(2), either party may appeal the compensation order by filing a notice of appeal with the clerk of the court of workers' compensation claims. The appealing party has fifteen (15) calendar days after the record is filed with the clerk of the workers' compensation appeals board to file a brief. A brief in response, if any, must be filed within fifteen (15) calendar days of the filing of the appellant's brief. No later than forty-five (45) calendar days after oral argument conducted pursuant to bureau rules or the expiration of the fifteen-day period for a responsive brief to be filed, whichever is later, the workers' compensation appeals board shall issue a decision affirming, reversing, modifying the compensation order; remanding the case; or any combination thereof. For purposes of further appellate review, the workers' compensation appeals board must, if appropriate, certify as final the order of the court of workers' compensation claims as affirmed, reversed, modified, or remanded. The decision of the workers' compensation appeals board is appealable to the Tennessee Supreme Court as provided for in the Tennessee Rules of Appellate Procedure. If a compensation order is timely appealed to the workers' compensation appeals board, the order issued by the workers' compensation judge must not become final, as provided in § 50-6-239(c)(7), until the workers' compensation appeals board issues a written decision certifying the order as a final order.

SECTION 8. Tennessee Code Annotated, Section 50-6-233(b), is amended by deleting the subsection and redesignating the existing subsections accordingly.

SECTION 9. Tennessee Code Annotated, Section 50-6-244, is amended by deleting any reference to "department" and substituting instead the language "bureau", and is further amended by deleting subsection (b) and substituting instead the following:

(b)

(1) A statistical data form must be filed for every workers' compensation matter that is concluded by trial or settlement. Settlement includes a settlement for initial benefits, a settlement for increased benefits, and a settlement for closure of future medical benefits that remained open pursuant to a prior order, even if a statistical data form was filed at the time of submission of the prior order.

(2) The bureau shall seek written comment on substantive changes to the statistical data form from the advisory council on workers' compensation. The administrator shall submit the proposed form to the commerce and labor committee of the senate and the consumer and human resources committee of the house of representatives, together with any written comments of the advisory council on workers' compensation, thirty (30) days prior to submission of a proposed rule to the attorney general and reporter.

(3) If the administrator or the administrator's designee determines that an employer or employer's agent fails to fully complete and timely file the statistical data form within ten (10) business days of the date of a compensation hearing order, the bureau may assess a civil penalty against the offending party of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) per violation.

SECTION 10. Tennessee Code Annotated, Section 50-6-405, is amended by adding the following language as a new subsection:

() Any employer of a construction services provider, as defined in § 50-6-901 shall, upon request by the bureau, provide proof of valid workers' compensation insurance coverage at the employer's place of business and at job sites where the

employer is providing construction services. Failure to provide proof of valid workers' compensation insurance coverage within one (1) business day of the request may result in a penalty of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500) per violation for any initial violation at the discretion of the administrator or administrator's designee, and not less than fifty dollars (\$50.00) nor more than five thousand dollars (\$5,000) per violation for subsequent violations. The administrator has discretion in determining acceptable proof of coverage, including electronic proof of coverage, taking into account standard insurance industry practices. Insurers shall advise policy holders who are construction services providers regarding the availability of electronic downloads of policy information to facilitate field inspection of proof of workers' compensation coverage.

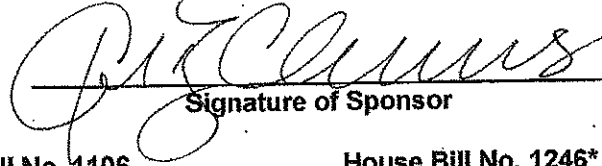
SECTION 11. Tennessee Code Annotated, Section 50-6-905, is amended by adding the following as a new subsection:

() Any person or representative of an entity who knowingly enters or directs a party to enter false or unauthorized information on a construction services provider's application to the secretary of state may be subject to a fine of not less than fifty dollars (\$50.00) nor more than five thousand dollars (\$5,000) per violation at the discretion of the administrator or administrator's designee.

SECTION 12. This act shall take effect on becoming a law, the public welfare requiring it, and Sections 9, 10, and 11 of this act shall apply to violations that occur on and after the effective date of this act.

Adpt. 3/29/17
C+HR Sub

Amendment No. _____


Signature of Sponsor

FILED	
Date	_____
Time	_____
Clerk	_____
Comm. Amdt.	_____

AMEND Senate Bill No. 1106

House Bill No. 1246*

by deleting subsection (b) in 50-2-207 in Section 1 and substituting the following:

(b) A violation of subsection (a) is a Class A misdemeanor, subject to fine only.



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